

**Remarks**

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 2-17 and 19 are pending. Independent claim 1 has been deleted, and dependent claim 2 has been re-written in independent form including all limitations previously found in claim 1. Claim 18 has been deleted. Claim 19 has been added. The claim amendments to claims 5 and 14 are solely for the purposes of correcting typographical and grammatical errors. Other claims have been amended for clarity and to broaden them in part.

**Allowable Subject Matter**

The examiner has acknowledged that claims 5-8 and 14-17 are directed to allowable subject matter, and would be allowable if re-written in independent form including all of the limitations in the base claim from which they depend and any intervening claims. Applicant appreciates the indication of allowability. Applicant believes the amendments to the claims on which these claims depend do not alter such allowability.

**Claim Rejections under 35 U.S.C. §102(b)**

Independent claim 1 and dependent claim 9 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 65,699,457 issued to Adar, et al. (hereinafter "Adar"). Claim 1 has been deleted, and claim 2 has been re-written in independent form including the limitations of claim 1. Claim 9 remains dependent on claim 2. With respect to these rejections, as applied to amended independent claim 2, dependent claim 9, and each of claims 3-10 that depend from claim 2, the Applicant respectfully traverses.

Independent claims 1 and 11, as well as dependent claims 2-4, 9-10, and 12-13, have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,084,636 issued to Sugahara, et al. (hereinafter "Sugahara"). With respect to these rejections, as applied to amended independent claims 2 and 11 and dependent claims 2-4, 9-10, and 12-13, the Applicant respectfully traverses.

Independent Claim 2 Is Not Anticipated by Adar

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 1051, 1053 (Fed Cir. 1987).  
**MPEP 2131.**

Independent claim 2, as currently amended, contains the following element:

A single pass compression method for regulating compression of serialized input data...

Adar teaches a method of bit rate control for *multi-pass* compression. See Adar col. 6, lines 23-25. Adar fails to teach or suggest a method for single pass compression.

Because Adar fails to teach each and every element as set forth in the claim 2, the rejections of claims 2 and 9, which is dependent on claim 2, under 35 U.S.C. §102(b) should be withdrawn.

Independent Claims 2 and 11 Are Not Anticipated by Sugahara

Independent claims 2, as currently amended, contains the following elements:

A single pass compression method for regulating compression of serialized input data ... converting a source image into a series of blocks...  
*determining a baseline target block size based upon a target compression ratio for said source image...*

Independent claim 11, as currently amended, contains the following elements:

A single pass image compression system comprising... *an allocator for determining a baseline target block size based upon a target compression ratio for said source image.*

The Examiner asserts that Sugahara teaches the following:

a compression method comprising: regulating compression of serialized input data as a function of an in-progress measure of said compression... determining a baseline target block size (the quantity d(0) is a baseline target block size)... See Office Action, page 3.

Sugahara, however, does not disclose determining a baseline target block size based upon a target compression ratio for the source image. The quantity  $d(0)$  referred to by the Examiner is an initial occupancy of a hypothetical buffer (see Sugahara, col. 10, line 25). It is defined as:  $d(0) = Q(0) \times r/31$  (see Eq. 11). According to this equation,  $d(0)$  is selected based upon a quantization factor for *an individual block* multiplied by a parameter  $r$  divided by a constant. Parameter  $r$  is a parameter determining a response *speed* of feedback (see col. 10, lines 37-38). Sugahara clearly does not determine a baseline target block size based upon a target compression ration for the source image.

Because Sugahara fails to teach each and every element as set forth in the claims 2 and 11, the rejections of claim 2 and 11 under 35 U.S.C. §102(b) should be withdrawn.

All remaining pending rejected claims depend from either claim 2 or claim 11, and thus are allowable for at least the reasons set forth above.

### Conclusion

Applicant respectfully requests reconsideration and issuance of the pending claims. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney.

Respectfully submitted,



Jeffery Fromm  
Registration No. 30,558  
DRINKER BIDDLE & REATH LLP  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996  
Tel: (215) 988.3309  
Fax: (215) 988.2757